

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

**FILED**

**DEC 01 2005**

INDIANA UTILITY  
REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF THE )  
STUCKER FORK CONSERVANCY DISTRICT FOR: )  
1.) ADDITIONAL TERRITORIAL AUTHORITY TO )  
RENDER SERVICE OF WATER SUPPLY TO )  
ADDITIONAL USERS OUTSIDE OF ITS )  
BOUNDARIES IN AN AREA IN WASHINGTON )  
AND JENNINGS COUNTIES, INDIANA: AND )  
2.) APPROVAL OF A NEW SCHEDULE OF RATES )  
AND CHARGES FOR WATER SERVICE AND A )  
SCHEDULE FOR PHASING-IN SAID RATES AND )  
CHARGES )

**CAUSE NO. 42752**

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") caused the following entry to be made:

On November 15, 2005, the Indiana Office of the Utility Consumer Counselor ("OUCC") filed *The Public's Notice of Intent Not to Prefile Testimony and Notice of Settlement* ("Notice") in this proceeding. In its Notice the OUCC indicated that:

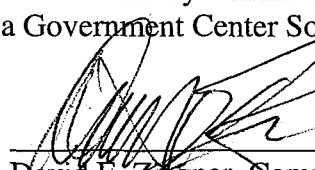
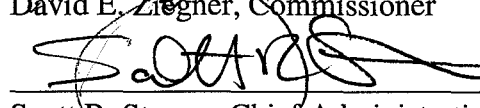
The OUCC and Petitioner have reached an agreement in principle to settle this Cause. Intervener has been advised of the settlement and their counsel has indicated to OUCC that Intervener does not intend to oppose the settlement. OUCC and Petitioner intend to offer joint supporting schedules as well as a Joint Stipulation and Settlement Agreement and anticipate doing so no later than five days prior to the December 5, 2005 evidentiary hearing date.

Notice at 1.

The proposed timing for the submission of the parties' Settlement Agreement, set forth in the Notice, is consistent with the requirements contained in the Commission's Prehearing Conference Order in this matter. In its Prehearing Conference Order the Commission indicated that: *If the parties reach a settlement, the agreement should be submitted to the Commission five (5) business days prior to the Evidentiary Hearing.* Prehearing Conference Order at 2 (*Ind. Util. Reg. Comm'n*, January 19, 2005) (emphasis in original).

As the parties have reached a settlement in principle but failed to submit a formal Settlement Agreement to the Commission five (5) business days prior to the Evidentiary Hearing, the Evidentiary Hearing in this matter is hereby continued until January 20, 2006 at 10:00 a.m. EST in Room E306 of the Indiana Government Center South, Indianapolis, Indiana.

**IT IS SO ORDERED.**

  
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David E. Ziegner, Commissioner  
\_\_\_\_\_  
Scott R. Storms, Chief Administrative Law Judge

Date: December 1, 2005